

Application No.: 10/023,271

Case No.: 57334US002

Remarks

Claims 1-3, 5, 9-23, 25, 29-38, 40, and 42-52 are pending.

Double Patenting Rejection

Claims 1-2, 5, 9-22, 25, 29-38, 40, and 42-52 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2, 4, 7-12, 17-27, 29, 32-33, 39-49, and 54-62 of co-pending Application No. 10/022,761.

The Patent Office asserts that although the conflicting claims are not identical, they are not patentably distinct from each other because the co-pending claims teach all of the limitations of the present claims. The Patent Office asserts that present claim 1 differs from co-pending claim 1 by the recitation of a fluoropolymer substrate and that the substrate is uncoated by the photoreactive solution on one surface. The Patent Office also asserts that co-pending claim 7 limits the substrate to a fluoropolymer, teaching this limitation. The Patent Office argues that since the claim does not recite coating the photo reactive solution on both sides of the substrate, one skilled in the art would clearly envision a second surface not coated with the photoreactive solution. The Patent Office asserts that co-pending claim 1 differs from present claim 1 by the presence of a cationic assistant. The Patent Office argues that since the present and co-pending dependent claims parallel each other; thus, it would be obvious to combine any of the dependent claims to arrive at the present invention.

Without agreeing to the Patent Office's assertions, but to further prosecution of the application, Applicant is filing a terminal disclaimer over co-pending Application No. 10/022,761 with this response. It is submitted that the non-statutory double patenting rejection of claims 1-2, 5, 9-22, 25, 29-38, 40, and 42-52 as being unpatentable over claims 1-2, 4, 7-12, 17-27, 29, 32-33, 39-49, and 54-62 of co-pending Application No. 10/022,761 is overcome.

Claims 3 and 23 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2, 4, 7-12, 17-27, 29, 32-33, 39-49, and 54-62 of co-pending Application No. 10/022,761 in view of Murahara et al.

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The Patent Office asserts that the co-pending claims apply as above, teaching inorganic soluble non-volatile salts, but failing to mention alkali metal cations or guanidinium salts. The Patent Office asserts that Murahara teaches that alkali metal atoms such as Li bond well with the fluorine atoms of fluoroplastics materials, such that fluorine is liberated from a substrate and adhesion is increased (col. 4 lines 6-26). The Patent Office argues that it would have been prima facie obvious to use alkali metal salts in the co-pending invention to improve bonding with the fluoropolymer substrates and ultimately improve adhesion of the substrate.

Without agreeing to the Patent Office's assertions, but to further prosecution of the application, Applicant is filing a terminal disclaimer over co-pending Application No. 10/022,761 with this response. It is submitted that the non-statutory double patenting rejection of claims 3 and 33 as being unpatentable over claims 1-2, 4, 7-12, 17-27, 29, 32-33, 39-49, and 54-62 of co-pending Application No. 10/022,761 is overcome.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Respectfully submitted,

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Date

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